

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHAD BRAZIL, an individual, on his own
behalf and on behalf of all others similarly
situated,

Plaintiff,

v.

DOLE FOOD COMPANY, INC.,
DOLE PACKAGED FOODS, LLC,

Defendants.

Case No.: 12-CV-01831-LHK

ORDER GRANTING PARTIES'
STIPULATIONS RE: BRIEFING FOR
SECOND MOTION TO DISMISS AND
CONTINUING THE MEDIATION
DEADLINE; CONTINUING CASE
MANAGEMENT CONFERENCE;
VACATING CASE SCHEDULE

The Court hereby GRANTS the parties' Stipulation Continuing Dates for Briefing Regarding the Motion to Dismiss the Second Amended Complaint and Motion to Strike. *See* ECF No. 64. Plaintiff's response to the Motion to Dismiss the Second Amended Complaint and Motion to Strike shall be due by May 20, 2013, and Defendants' reply shall be due by June 3, 2013.

The Court hereby GRANTS the parties' Stipulation Continuing the Mediation Deadline to 90 days from the date the Court rules on Defendants' Motion to Dismiss the Second Amended Complaint. *See* ECF No. 65.

1 The Court hereby CONTINUES the Case Management Conference set for May 15, 2013, to
2 September 26, 2013, following the hearing on Defendants' Motion to Dismiss the Second
3 Amended Complaint and Motion to Strike. The Court VACATES the case schedule related to
4 Class Certification and therefore the subsequent case schedule. Because Plaintiff's Motion for
5 Class Certification is currently due before the hearing on Defendants' Motion to Dismiss the
6 Second Amended Complaint and Motion to Strike, and the parties may not have the benefit of the
7 Court's ruling on Defendants' Second Motion to Dismiss prior to the currently scheduled Class
8 Certification hearing, the Court finds that it would be prejudicial to both parties to proceed with the
9 current Class Certification schedule. By September 19, 2013, the parties shall propose a revised
10 case schedule as part of their Joint Case Management Statement.

11 **IT IS SO ORDERED.**

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13 Dated: May 13, 2013

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15 LUCY H. KOH
16 United States District Judge
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